

2020

Middle Peninsula Planning District Commission

TECHNICAL ASSISTANCE PROGRAM



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Executive Summary

The Technical Assistance (TA) Program, funded through the Virginia Coastal Zone Management Program, provides Middle Peninsula Planning District Commission (MPPDC) staff the opportunity to create and implement adaptive management techniques, enhance communication between local, regional and state stakeholders, and inform planning decisions by local, regional, and state coastal managers. The TA Program has been the backbone of coastal zone management in the Middle Peninsula by providing a resource that allows local governments to address coastal zone issues that may otherwise go unanswered. Specifically, the TA Program provides the MPPDC with the necessary administrative framework to assist rural Middle Peninsula coastal localities (i.e. staff, elected officials, and community level groups) in the enhancement of coastal zone management tools and techniques that balance economic development while protecting coastal resources.

Middle Peninsula localities rely annually on MPPDC staff to provide professional and technical coastal zone management planning assistance on national, regional, and local coastal issues and policy and legislative changes that impact how the issues are addressed. Over the past year, the MPPDC has made significant strides in providing education and assistance on issues such as the regional impacts of COVID-19, solar energy, nature-based flood mitigation solutions, and dredging. For the Federal FY19 grant, there were three tasks outlined and completed under the work program:

Coastal Management Analysis and Policy Support. MPPDC staff provided coastal management support to local government elected officials, chief administrative officers for local governments, local planning staff, local planning commissions and wetlands board staff. MPPDC staff worked to progress the regional [Fight the Flood \(FTF\) Program](#) that aims to connect property owners facing rising flood waters with tools and funding, including specialized businesses who can help evaluate, design, and build solutions. MPPDC staff consulted with local businesses to participate in the program and worked with local homeowners to connect them with financial tools available through the FTF. Additionally, PDC staff co-authored HB 1675 (now [15.2-2316.6](#) through [15.2-2316.9](#)) which focuses on *Siting of solar facilities in economically disadvantaged localities*.

Local and State Planning Coordination. MPPDC staff attended, convened, and participated in various monthly and quarterly meetings with local government level planners, government administrators, and other appropriate government and NGO committees to assist with improved coastal planning. Through these meetings, Coastal Planners illuminated choices which policy makers can use to help inform decisions.

Special Project. MPPDC staff provided direct research and facilitation support for the implementation of the 2019-2020 Middle Peninsula Chesapeake Bay Public Access Authority (PAA) annual work plan. MPPDC staff assisted the PAA with the management of a growing portfolio of donated private waterfront sites and transitioning the website from Virginia Institute of Marine Science (VIMS) servers to a new service.

Introduction

With funding through the Virginia Coastal Zone Management Program (CZM), MPPDC was able to provide coastal management support and coordination to local governments and their elected officials, local planning staff and planning district commission staff. The MPPDC was also able to collaborate and

provide guidance to other planning district commissions on coastal zoning issues, including COVID-19, mitigating for flooding with nature-based solutions, dredging, and public land access. This report will touch on the three objectives of this project, including (1) Coastal Management Support, (2) Local Planning Coordination, and (3) PAA Work Plan & Support for Online Facility Reservation System.

Product #1: Coastal Management Analysis and Policy Support

The Middle Peninsula Planning District Commission's (MPPDC) Coastal Resources Technical Assistance Program provides the necessary administrative framework to assist rural coastal local governments across the Middle Peninsula with access to enhanced coastal zone management tools and techniques that balance economic development with protecting coastal resources.

The MPPDC Coastal Technical Assistance Program provided and supported both analysis and policy assessment using a variety of approaches to assist and improve local and regional planning efforts. The nine local governments of the Middle Peninsula region relied upon MPPDC staff for ongoing analysis and policy support for emerging issues (e.g. dredging, flooding, public water access, and COVID-19's impact on the Middle Peninsula Coastal Economy). Technical policy assistance included solar energy; dredging; and flood mitigation through nature-based solutions. For a list of staff activities throughout the grant year, please see Appendix A.

Example of Coastal Management Support

MPPDC staff worked with Delegate Keith Hodges, Virginia General Assembly 98th District concerning the development of approximately twenty bills focusing on addressing key issues impacting rural coastal localities. Bills that passed during the 2020 General Assembly Session that MPPDC directly worked on included HB 1267 (Land Bank Entities; Planning District Commissions) and HB 1375 (Living Shorelines; resiliency); however there were two other bills of great importance to the region that were also passed: (1) HB 1313 directs the Governor to designate a Chief Resilience Office to serve as the primary coordinator of resilience and adaptations in Virginia, identify and monitor areas of the Commonwealth that are at greatest risk from recurrent flooding, and initiate and assist with funding opportunities for resilience initiatives at both the state and local level; and (2) HB 1675 requires any applicant for a solar facility to give written notice to the locality and the applicant shall meet, discuss, and negotiate a siting agreement the locality. The siting agreement may include terms and conditions, including mitigation of any impacts of such solar facility and financial compensation to the host locality to address various capital needs.

Additionally, PDC staff co-authored HB 1675 (now [15.2-2316.6](#) through [15.2-2316.9](#)) which focused on the *Siting of solar facilities in economically disadvantaged localities*. It requires that any applicant for a solar facility shall give to the host locality written notice of the applicant's intent to locate a solar facility in an opportunity zone in such locality and request a meeting. The siting agreement may include terms and conditions, including (i) mitigation of any impacts of such solar facility; (ii) financial compensation to the host locality to address capital needs set out in the (a) capital improvement plan adopted by the host locality, (b) current fiscal budget of the host locality, or (c) fiscal fund balance policy adopted by the host locality; or (iii) assistance by the applicant in the deployment of broadband, as defined in § [56-585.1:9](#), in such locality. Rural localities are seeing significant financial returns ranging from millions to tens of millions now providing important investment into rural communities.

Leveraged Accomplishment

With the drafting and passing of HB 1675, rural localities are directly benefiting from these efforts. For example, in King and Queen County, a several hundred-acre solar project was approved which has provided, as a result of HB 1675, cash payments to run broad band fiber to (estimated) all homes in King and Queen County.

Product #2: Local and State Planning Coordination

MPPDC hosted monthly and quarterly meetings as a forum and information exchange between the local planning staff, local government administrators, and local government appointed committees. This forum provided for continued coordination of coastal local planning efforts, specialized training opportunities, and the impetus for leadership in progressive coastal zone planning techniques. Training topics revolved around assisting with implementation of existing state and federal regulations including, but not limited to repetitive flooding and coastal resiliency; COVID – 19 impacts; local land use (i.e. nutrient bank development, solar energy facilities, etc.), and other related matters. Forums, trainings, and meeting activities served as a conduit for information exchange between various user groups regarding state/federal initiatives as well as to solicit input from localities on state/federal initiatives. Coordination occurred at the local level for administrators and planners (monthly, bimonthly, and quarterly), and other appropriate committees, as necessary.

MPPDC staff specifically convened twenty-three meetings of the local government administrators and three meetings of the Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA) to discuss ongoing and new issues related to coastal zone management. Additionally, MPPDC staff hosted four trainings throughout the grant year. Trainings included the following:

1. **11/1/2019** – Chesapeake Bay Preservation Act Flooding was discussed, including RPA regulations, managing flooding, and projection of water quality. There were 21 participants.
2. **11/20/2019** – Monthly Commission Meeting – CZM staff gave a presentation on the ongoing Section 309 Needs Assessment & Strategy development and asked for stakeholder input.
3. **12/13/2019** – Discussion of Local Municipal Dredging Model as a GO Virginia Application. The meeting focused on who to apply and what is eligible for funding. There were 21 participants.
4. **2/14/2020** – Discussed the findings of the CZM funded Middle Peninsula Extractive Industries Report, including how to read the report, what it means and possible legislation. The study resulted in Solar energy industry legislation which is returning millions of dollars to local governments in the Coastal Zone. There were 9 participants.
5. **8/26/2020** – Local Planners Meeting – Rural Coastal Land Use. At this meeting there were guest speakers that discussed Nutrient Banks and Floodplain Management and Local Controls Regarding VDOT Projects. There were 15 participants.

With COVID- 19 at the largest emerging issue in 2020, MPPDC staff coordinated weekly updates with the Virginia Department of Health Three River's Districts to provide regional updates to Middle Peninsula localities. As the MPPDC figured out how to navigate this unrepresented time, MPPDC staff in coordination with the Middle Peninsula localities developed a financial relief program for local business with CARES Act funds. This program, called the Middle Peninsula Back to Business Program, was launched July 4, 2020 and aimed to assist impacted businesses by covering a portion of the increased costs incurred in response to social distancing and compliance with new health and safety requirements.

Leveraged Accomplishments

Ongoing CZ staff investment allowed for MPPDC staff to apply to the Virginia Department of Environmental Quality Clean Water Fund to recapitalize the Middle Peninsula Living Shoreline Revolving loan fund. MPPDC was initially awarded \$250,000 to capitalize their fund. Later, MPPDC was awarded another \$250,000 which was lent out the same month it was received to homeowners constructing living shorelines on their property.

Product #3: MPCBPAA Work Plan & Support for Online Facility Reservation System

MPPDC staff assisted the MPCBPAA with project facilitation, research, and data collection to support the implementation of the MPCBPAA annual work plan. MPPDC staff also assisted Virginia Interactive with the Online Facility Reservation system design by providing technical planning assistance including, but not limited to, outdoor trail planning, public access use capacity assessment, site mapping, and other aspects of coastal recreational planning to enhance the user's interactive experience with the reservation system. MPCBPAA meetings were convened in November (2019), February (2020), and July (2020) to implement the work program.

Examples of Work Plan and Support for Online Facility Reservation System

MPPDC staff hosted three meetings of the MPCBPAA throughout the course of the project. Meeting topics included land donations, the Virginia Outdoor Foundation (VOF) easement award for the Captain Sinclair Recreational Area, using MPCBPAA land as potential locations for the creation of a nutrient bank, Virginia Water Trails, and the development of a corporate sponsorship program for the PAA, approving a request by USGS to conduct research on PAA lands, and discussion of Virginia Sea Grant's request to support their application to GO Virginia that focused on Coastal Resiliency and Adaptation Economy.

Leveraged Accomplishments

The MPCBPAA expanded the use of donated lands into mitigation banks. The MPCBPAA has a bank in Gloucester County that has sold all its credits and needs to be donated to a third party. These actions are building new relations between the banking industries and public recreation. Also, this accomplishment is attributed to the extractive industries report funded by CZM (Grant # NA17NOS4190152).

Product #4: Benefits Accrued from Prior CZM Grants

The challenges faced by residents and businesses on the Middle Peninsula, in the heart of rural coastal Virginia, are complex and diverse. Years of regulatory overlap, combined with a strong need to maintain clean waters and a resilient shoreline, created an environment that made it difficult for businesses to grow, homeowners to protect their property, and for the economy to thrive. Reductions in federal spending in regional waterways further made maintaining some of them difficult and created a need to find unique solutions. With the support of the Virginia Coastal Zone Management (CZM) Program, the MPPDC set out to help address the challenges that rural coastal Virginia region faces along its shorelines and beyond. The benefits of having an ongoing focused effort on finding solutions – smart solutions – in this complex environment have steadily accrued and been realized over time.

Appendix B paints the picture of those benefits and where the investment by the CZM showcases results today. With continued investment, these benefits can be even further realized and built upon into the future.

Appendix A: Virginia Coastal Zone Management Program Staff Activities

October 2019

- Ordered signs for the Captain Sinclair Recreational Area (i.e. Welcome Sign, Directional Signs, and Area Map) and the Perrin Wharf (i.e. Welcome Sign).
- Drafted and submitted a semi-annual report to the Virginia Coastal Zone Management Program.
- Began to draft the final report of the Coastal TA project that is due November 15th.
- Consulted with Consociate Media concerning deliverable 4 that focused on showcasing the measurable benefits from Virginia Coastal Zone Management Program Funding.
- Prepared and submitted final financial report and reimbursement request to April Bahen, CZM program.
- Convened a Department of Environmental Quality senior leadership team tour of the Middle Peninsula to visit and discuss coastal flooding within the Resource Protection Area of the Chesapeake Bay Preservation Act. DEQ staff will reconvene with the Middle Peninsula local government administrators in November to discuss local options for managing recurrent sunny day flooding at the local parcel scale.
- Attended Restore America's Estuaries' 2019 Living Shorelines Tech Transfer Workshop held in Beaufort, North Carolina. The workshop focused on the newest trends and approaches for designing, building, and monitoring living shorelines.
- Coordinated for the Middle Peninsula Regional 2019 Virginia Outdoors Plan meeting to be held at the MPPDC office.
- Consulted with Laura Grape, Executive Director for a Soil and Water Conservation District office in Northern Virginia regarding creating and administering the Middle Peninsula Living Shoreline Revolving Loan Program.
- Consulted with Janice Moore, President, Friends of Dragon Run regarding use of Public Access Authority lands to assist Friends of Dragon Run with accessing the Dragon.
- Consulted with legal counsel for the Chesapeake Bay Foundation regarding solar deployment within the Resource Protection Area and Resource Management Area of the Chesapeake Bay Preservation Act.
- Consulted with a startup company looking to develop concrete oyster overlays on living shoreline granite to enhance oyster growth.
- Consulted with Jimmy Sydnor, Town Manager, Town of Tappahannock regarding dredging needs of Hoskins Creek.
- Consulted with a real estate developer interested in purchasing a working waterfront marina within the Middle Peninsula. The developer was in search of grant and loan funds to repair infrastructure and failing septic systems.

November 2019

- Consulted with Dave Evans, DEQ TMDL Coordinator for the Mattaponi TMDL. Discussed submitting an application to repair septic systems.
- Convened two November meetings of the Local Government Administrators (LGA). The first meeting was a special meeting to discuss managing flooding within the RPA called by Jutta Schneider, Director, Water Planning Division Virginia Department of Environmental Quality (VDEQ) and Russ Baxter, Deputy Director of Soil and Water Conservation and Dam Safety and Floodplain Department of Conservation and Recreation. This meeting counts toward the FY19 TA grant training requirement (1 of 4). The second meeting was the regular monthly LGA meeting. Chuck Walsh, Director of the

MP/NN Community Services Board (CSB) spoke on the current financial challenges managing the CSB.

- Convened November Commission meeting, which included a presentation by CZM staff on the 2021-2025 Section 309 Needs Assessment & Strategy process. This presentation to MPPDC local government officials counts towards the FY19 TA grant training requirement (2 of 4).
- Participated in the Fall 2019 Rotating Resilience Roundtables held at VIMS. Roundtables are designed to facilitate interdisciplinary engagement of faculty and stakeholders with different coastal resilience themes, and to stimulate problem identification, critical thinking, and alignment between the real-world resilience issues in the Commonwealth and the scientific questions.
- Consulted with Hal Bourque, Chair of the Mathews County Economic Development Authority regarding financial assistance for a dredging startup company. Discussed GO Virginia funding concepts.
- Consulted with David Fridley, Three Rivers Health District regarding flooding and septic drain field elevation issues.
- Consulted with Pat Coady, Eastern Shore Dredging Coordinator interested in partnering to consolidate dredging activity and the possible use of hydro drones across the Middle Peninsula and the Eastern Shore. Agreed to continue the conversation on opportunities.
- Convened the Fall meeting of the Middle Peninsula Chesapeake Bay Public Access Authority. Agenda items included: Review of new signage for PAA holding and discussion of financial matters related to VOF easement award.
- Consulted with a Gloucester County resident regarding loan and grant funding for a living shoreline project.
- Consulted with an Essex County resident interested in public hunting on land owned by the Public Access Authority in Middlesex County. Coordinated with the Middlesex County Administrator to obtain permission to open the property for public hunting and under what conditions.
- Consulted with Gloucester County resident interested in obtaining information regarding socioeconomic characteristics of the Middle Peninsula.
- Attend the Middle Peninsula Local Planners Roundtable Meeting to discuss solar management with Ben Leach, DEQ Stormwater Lead.
- Consulted with a Mathews County resident with a failed clear stream engineered septic system and the inability to have the private sector respond to the septic repair. Coordinated with Three Rivers Health District staff for assistance.
- Consulted with Scott Bruce, DEQ Groundwater Program regarding Mathews County resident interested in groundwater withdrawal within Mathews County.
- Consulted with Boyd Wiley, DEQ Clean Water Program regarding the tax-exempt status of the Middle Peninsula Planning District Commission for consideration under a new pilot program.
- Drafted and submitted a final report and final project summary to Virginia Coastal Zone Management Program for the FY18 TA grant.

December 2019

- Attended the Middle Peninsula Local Planners Roundtable Meeting to discuss the permit by rule (PBR) process for solar projects administered by the Department of Environmental Quality (DEQ). Spoke with Beth Major, DEQ staff who oversees the PBR process, on how the Chesapeake Bay Preservation Act and the moving of the Resource Protection line due to sea level rise and subsidence is considered in the PBR process.
- Consulted with Chris Davis of Ready Reef regarding a project in Mathews County that looks to restore a sand dune using flexmat. Chris Davis inquired if this would meet the statutory definition of a living shoreline. Consulted with Tony Watkinson, Chief of Habitat at Virginia Marine Resource Commission

(VMRC) for further research.

- Consulted with Derrick Green, previous Gloucester County Assessor, regarding land valuation associated with extractive natural resource industries across the Middle Peninsula and the inability for local government to generate necessary tax revenue. Mr. Green affirmed the MPPDC position that the economic value has been stripped from the land and the local government is left with an environmentally restricted non-revenue generating land asset.
- Consulted with John Edwards, Manager, Town of West Point regarding the use of conservation easements under the Virginia Outdoors Foundation (VOF) program. Staff will continue this discussion with Mr. Edwards.
- Received a call from Karen Duran, Manager, DEQ Clean Water Revolving Loan Program notifying staff that the MPPDC has won the EPA Pisces award for the creation of the Middle Peninsula Living Shoreline Revolving Loan Program in EPA Region III.
- Consulted with Andrew Larkin, Sr. Program Analyst, NOAA Chesapeake Bay office regarding continual interest in submitting proposals for habitat improvements for the Guinea Marsh Islands. Discussed the use of NOAA habitat focus areas as a potential mechanism to direct federal funding to address significant and severe coastal issues within the Mobjack and Piankatank watershed.
- Consulted with Del. Keith Hodges regarding various proposed bills for the upcoming 2020 General Assembly session that are important to the Middle Peninsula. Topical areas include resiliency clearinghouse, land bank entities, revolving loan programs for living shorelines, septic flooding, solar, resource protection area improvements, chief resiliency officer and other matters.
- Consulted with representatives from the Virginia Naturalist Program interested in accessing land owned by the Middle Peninsula Chesapeake Bay Public Access Authority, for birdwatching.
- Consulted with Jutta Schnieder, Director of Water Planning Division at the Department of Environmental Quality regarding the DEQ Section 319 funding process and ways to improve the grant application submission and review process going forward.
- Attended the fall meeting of the joint subcommittee on coastal flooding on December 2nd at the state capital. Attended speaking sessions on managing flooding within the Resource Protection Area (RPA) of the Chesapeake Bay Preservation Act and the relationship to the DCR Floodplain Program.
- Consulted with Neal Barber regarding the development of a proposal seeking funding from the Economic Development Administration to address potential business opportunities around resiliency needs.
- Attended a Virginia Department of Health septic repair meeting held at the Central Office in Richmond regarding potential elevating of septic systems within the floodplain.
- Participated in a meeting called by Maury Bradford, Community Planning Lead Mitigation FEMA Region III, held at the MPPDC to discuss Hazard Mitigation Plan updates and the use of nature-based flood mitigation solutions.
- Consulted with Del. Keith Hodges regarding groundwater withdrawal from the bedrock area of the coastal plain to help reduce subsidence.
 - Convened a meeting to discuss the Local Municipal Dredging Model as a Go Virginia Application, including how to apply, who's eligible, etc. This meeting counts toward the required FY19 TA grant trainings (3 of 4).
- Attended the Virginia Coastal Policy Center Annual Resiliency Conference convened at the College of William & Mary.
- Attended the Coastal Zone Management special meeting to discuss focal area projects held at the Virginia Department of Environmental Quality. The meeting focused on coastal resilience and the next three-year focal area (2020-2023). The selected theme for investment will be coastal resilience.

January 2020

- Attended the York River Small Coastal Basin roundtable meeting held at VIMS. Discussed clean water needs and implementation of ideas specific to the York River and Small Coastal Basin.
- Attended a meeting called by Commonwealth Center for Recurrent Flooding held at the College of William & Mary to discuss future research needs and update on flooding matters being researched by the Center.
- Consulted with Mathews County resident who is a member of the Virginia Naturalist requesting access to PAA land for the Virginia Bird Count.
- Met with Mari Radford FEMA Community Planning Lead, Region 3 to discuss an update to the Middle Peninsula All Hazard Mitigation Plan.
- Consulted with Del. Keith Hodges regarding groundwater study to access water found in the granite basement below usable aquifers.
- Consulted with Debbie Messmer, Grant Administrator, Virginia Department of Emergency Management, regarding the status of MPPDC submitted proposals.
- Consulted with Del. Keith Hodges regarding numerous 2020 General Assembly Bills important to the Middle Peninsula. Reviewed and offered comments to be considered by legislative services.
- Consulted with Elizabeth Andrews, Director for the Virginia Coastal Policy Center regarding proposed legislation important to the Middle Peninsula. Received comments and potential edits to various bills.
- Consulted with several members of the Middlesex County Board of Supervisors regarding pending stormwater and solar legislation.
- Participated in a conference call between King & Queen County and FEMA regarding solar projects within the floodplain.
- Convened the January Local Government Administrators Meeting. Ted Henifen, HRSD General Manager provided an update on the overall status of HRSD and responded to questions from member jurisdictions concerning small community division. Mr. Henifen also indicated that the York River transmission line has extra capacity that could be designed as a septic pumpout dump station.
- Consulted with Jennifer Morgan, Go Virginia Region 6 staff regarding an upcoming joint meeting between Region 6 and Region 5 focusing on the development of a water-based economy.
- Attended King & Queen FEMA Community Coordination & Outreach meeting regarding ne flood maps for non-tidal areas.
- Consulted with local legislators regarding resilience bills.
- Coordinated with FEMA & VDEM regarding programmatic changes inhibiting shore stabilization projects involving nature-based solutions.
- Participated in York River Small Coastal Basin Roundtable meeting.
- Participated in grant program training for NFWF and DEQ water quality improvement grants
- Participated in meeting between CBNEERS, VIMS and Parametric Insurance agents regarding establishing additional water/wave gauges to support insurance providers.
- Participated in Shoreline Management BMP webinar regarding implementation for shoreline resilience.
- Participated in training regarding DCR Floodplains grant programs.
- Assisted with development of proposal for attending NFWF workshop for Balancing Nature and Economy in Rural Communities.
- Participated in the January Local Government Administrators Meeting.

February 2020

- Convened and participated in the February Local Government Administrators Meeting.

- Participated in VCZMP Coastal Policy Team meeting in Richmond.
- Participated in VA Coastal Resilience Master Plan development meeting in Richmond.
- Developed and submitted Chesapeake Research Consortium proposal for restoration project at Hog Island.
- Review and edit Extractive Industries Report (FY17, Task 51).
- Convened a meeting to review the findings of the Extractive Industries report: how to read it, what it means, & possible legislation. This counts towards the required FY19 TA grant trainings (4 of 4).
- Drafted and submitted support letter for VCZMP Section 309 Project of Special Merit proposal.
- Consulted with Robert Crockett, President Advantus Strategies regarding a SB747 Nutrient Bank bill which conflicts with the work of the Middle Peninsula Chesapeake Bay Public Access Authority. Set a meeting with the lobbyist for the nutrient bank industry to discuss options.
- Conversated with Friends of the Rappahannock regarding their opposition to Del. Keith Hodges HB1364 Resource Protection Areas; improvement plans and HB1366 Resource Protection Areas; program to remediate septic systems in recurrently flooded areas. Discussed the impact to low income Middle Peninsula homeowners within the service area of the Friends of the Rappahannock. Additionally, Del. Hodges called a meeting with Friends of the Rappahannock and other environmental groups to discuss amending both bills to address concerns. Amendment language was offered and accepted to address concerns, but Friends of the Rappahannock still objected to the bill after agreeing to compromise language.
- Attended the Balancing Nature and Commerce in Rural Communities and Landscapes training held at the US Fish and Wildlife Shepherdstown, WV facility. Attendees included MPPDC staff, Chesapeake Bay National Estuarine Research Reserve Staff and Gloucester County EDA staff and Consociate Media staff.
- Consulted with Bob Fisher, Virginia Institute of Marine Science Marine Advisory Services Program regarding the use of Blue Catfish for commercial food processing applications.
- Consulted with Scott Hardaway, VIMS Shoreline Studies Program regarding a potential Section 309 project to update the Middle Peninsula Shoreline study plans to serve as the Flood Mitigation “Battle Plan” to help combat storm flooding.
- Coordinated for modifications to House Bill 1313 sponsored by Del. Keith Hodges to improve coordination for state level flood mitigation discussions and the development of the statewide flooding and resiliency master plan.
- Consulted with staff from USGS regarding a request to utilize Public Access Authority properties to conduct research. A motion was made and seconded by the PAA Board to allow USGS to access holding for scientific research purposes.
- Consulted with Neal Barber on the development of an Economic Development Administration Coastal Resiliency proposal seeking funding to enhance the MPPDC Fight the Flood program.
- Coordinated with the Virginia Port Authority for upcoming presentations on three Middle Peninsula dredging project applications as well as a business implementation plan to assist local governments moving forward.
- Consulted with the Southern Mississippi Planning and Development Council regarding their EDA approved resiliency revolving loan program design guidelines.
- Agreed to participate in the James River Living Shoreline Summit hosted by the James River Association to discuss the Middle Peninsula PDC living shoreline revolving loan program.
- Consulted with a resident from the Northern Neck seeking clarification on public access waterway legal issues related to mean low water and the collection of fossils.
- Consulted with the Department of Environmental Quality Water Planning Specialist, Justin Williams regarding DEQ funding to assist localities associated with Presidential Disaster and stormwater

planning.

- Attended a meeting called by the Middle Peninsula Alliance to discuss evaluating PAA holdings for possible use as a nutrient bank under a GoVA Region 6 grant award to the MPA.

March 2020

Pandemic prevented in-person meetings and capacity for virtual meetings was insufficient at this time.

April 2020

Pandemic prevented in-person meetings and capacity for virtual meetings was insufficient at this time.

May

Pandemic prevented in-person meetings and capacity for virtual meetings was insufficient at this time.

June

Pandemic prevented in-person meetings and capacity for virtual meetings was insufficient at this time.

July 2020

- Consulted with Karen Doran (Clean Water Financing and Assistance Program Manager) and James Martin (Chesapeake Bay Program Manager) of DEQ to determine if DEQ Clean Water revolving loan funds can be used to fund shoreline projects for projects that do not qualify as a living shoreline, but also have high erosion rates. It was determined that MPPDC could apply for funding to finance **Protoal 1** Shoreline stabilization for erosion control for high energy areas. MPPDC has submitted an application requesting \$250,000 in state revolving loan funds. If funded, the project will further capitalize the MPPDC Fight the Flood program.
- Consulted with the President of Garbarino Construction about participating in the Middle Peninsula Fight the Flood Program. Garbarino Construction is one of Tidewater's largest and most experienced pile driving companies serving coastal Virginia and beyond.
- Consulted with Lloyd Ward, VP/ Branch Manager for ECS about participating in the Middle Peninsula Fight the Flood Program. ECS provides GeoTechnical, Environmental, Construction and Materials.
- Consulted with Joe Betit and Patrick Coady concerning Hydro-drone business development and participation in the MPPDC Fight the Flood program.
- Consulted with Taylor Goodman, Vice President of Balzer & Associates concerning providing engineering and design services under the MPPDC Fight the Flood program.
- Convened a call with National Fish and Wildlife (NFWF) senior managers to discuss approaches to developing shovel ready shoreline projects that will more easily qualify for funding under NFWF programs.
- Consulted with legal counsel for guidance on procurement for FishLine Go Virginia Grant to develop an on-line mobile application to assist commercial watermen with gaining access to consumers who wish to purchase seafood.
- Consulted with Lauren Stuhldreher, U.S. Department of Commerce, Economic Development Administration concerning an application requesting financial assistance for various Middle Peninsula disaster resiliency projects.
- Consulted with a local realtor interested in exploring land donations to the Middle Peninsula

Chesapeake Bay Public Access Authority.

- Consulted with two private landowners interested in donating multiple parcels to the Middle Peninsula Chesapeake Bay Public Access Authority in Gloucester County.
- Consulted with Middle Peninsula Local Government Administrators to develop a Middle Peninsula Back to Business program to assist local business with cost recovery for business impacts related to COVID.
- Consulted with a local aquaculture and commercial seafood retailer on how to apply for cost reimbursement under the Middle Peninsula Back 2 Business programs.
- Consulted with a waterfront landowner about public trust and trespass issues along the waterfront. Provide a contact at VMRC regarding public trust bottomlands.
- Consulted with a Deltaville marina owner regarding accessing loan funds to install a living shoreline at the marina.
- Discussed Army Corps of Engineers section 408 review standards for dredging projects with JP Woodley, Principle Environmental and Energy Practice for Advantus Strategies.
- Convened monthly Local Government Administrators meeting. Discussed COVID impacts on local government finances, B2B program status. Received updates from Dr Rich Williams, Three Rivers Health District Director. Was advised of Commercial seafood processing plants COVID hotspots and how VDH will be monitoring and contract tracing.
- Consulted with Shawn Crumlish, Virginia Resource Authority and Dan Seigle, Sands Anderson regarding living shoreline loan closing documents for VRA MPPDC loan #2.
- Consulted with Anne Payne, Gloucester County Engineering Department regarding the MPPDC Fight the Flood program and how it works.
- Followed up with Scott Kudlass, DEQ Water Supply Manager regarding updates to the Middle Peninsula Water Supply Plan.
- Consulted with a local seafood company requesting a special use permit related to VDOT traffic requirements.
- Develop and submit proposal for VA Clean Water Revolving Loan Funds for funding to establish stormwater BMP RLF for shoreline management infrastructure.
- Participate in FEMA Building Resilient Infrastructure and Communities informational webinar.

August 2020

- Participated in FEMA Building Resilient Infrastructure and Communities informational webinar.
- Assisted Gloucester property owner interested in Living Shoreline RLF program.
- Convened multiple local government administrators' meetings during the month of August (Aug 7, 14, 21, &28) with Dr. Rich Williams, Director Three Rivers Health District to discuss pandemic related issues.
- Discussed flood mitigation issues with multiple Gloucester and Mathews residents regarding revolving loan funding and storm damage.
- Consulted with Karen Doran, DEQ Clean Water Financing and Assistance Program Manager for the DEQ Virginia Clean Water Financing program regarding submittal of an application requesting funding to establish a stormwater BMP revolving loan program to address shoreline erosion issues.
- Consulted with local government administrators regarding identification and prioritization of rivers in need of dredging for inclusion in the Middle Peninsula Virginia Port Authority business model dredging feasibility study.
- Consulted with Bay Design President Bay Jamie Pruett on matters related to Fight the Flood business participation.

- Responded to a constituent interested in moving to the Middle Peninsula, but has concerns related to flooding. Provided information related to flood zone and connected the applicant with a real estate agent.
- Consulted with representatives from FEMA and DCR regarding VDOT flood plain permitting requirements and the expectation that local governments are to bring criminal charges against the Attorney General of the Commonwealth on behalf of the Virginia Department of Transportation for violating local floodplain ordinance requirements. DCR staff ultimately capitulated and rescinded the requirement to enforce the local flood plain ordinance requirements on VDOT.
- Consulted with VMRC staff regarding the replacement of the Captain Sinclair's dilapidated public fishing pier and making application requesting funding to preplace the pier.
- Received questions from multiple citizens across the Middle Peninsula regarding public hunting opportunities on land owned by the Middle Peninsula Chesapeake Bay Public Access Authority.
- Consulted with representatives from Virginia Resources Authority regarding loan closing for the MPPDC Living Shoreline loan #2 and discussed loan forgiveness terms for granting forgiveness.
- Received a call from an owner of a 100-acre nontidal wetland mitigation bank desiring to donate the wetlands area to the middle Peninsula Chesapeake Bay Public Access Authority. Working with the owner on access questions.
- Presented an application to the VMRC RFAB Board requesting funding to rebuild the Captain Sinclair's public fishing pier.
- Participated in a call with Dept of Housing and Community Development regarding the King and Queen Telehealth Go Virginia grant application. Discussed various DHCD funding programs that may assist either the development of the Business Innovation Center, including resiliency planning as well as a telehealth wing.
- Consulted with Ann Phillips, Special Assistant to the Governor for Coastal Adaptation and Protection related to regional authorities and the ability to manage flood related programs.
- Consulted with Essex County Countryside Alliance regarding protected lands map to be produced for publication for the 2021 year.
- Consulted with Robert Brooks, MPPDC loan closing attorney regarding placing a lien on a corporation to secure and collateralized a living shoreline revolving loan.
- Consulted with an absentee landowner from Gloucester County desiring to donate approximately 20 acres to the Middle Peninsula Chesapeake Bay Public Access Authority for outdoor recreation
- Met with Andrew Sweeny, a King and Queen boy scout in need of an Eagle Scout project on lands managed by the Middle Peninsula Chesapeake Bay Public Access Authority.
- Consulted Catherine Shankles, Assistant Attorney General regarding a public access landing located in Gloucester County of which no public deed can be located. Provide guidance to Gloucester.
- Convened an August 26 meeting of Local Planners to discuss Rural Coastal Land Uses, including Nutrient Banks and Floodplain Management. This counts toward the required FY19 TA grant trainings, although the minimum of four trainings has already been met (5 of 4).

September 2020

- Develop 4 proposals for FEMA Building Resilient Infrastructure and Communities and Flood Mitigation Assistance funding.
- Participate in meetings with DEQ to review the draft VA Water Supply Plan update.
- Discuss resilience proposals with NFWF.
- Consulted with Matt Walker, Middlesex County Administrator regarding establishing Scenic River designation for the Rappahannock River. Provided guidance on questions that should be explored while considering this designation.

- Consulted with numerous citizens and elected officials across the Middle Peninsula regarding designated the Rappahannock River as a Scenic River.
- Consulted with DEQ staff regarding House Bill 504 directing the Department to develop criteria under the Bay Act for inclusion of coastal resiliency and adaptation.
- Consulted with Matt Crane, NIC-VA on reservation site modifications to the PAA land reservation system.
- Consulted with Robert Crockett, President Advantage Strategies regarding a comprehensive list of solar host agreement citing documents being developed and benefits accrued to those localities.
- Consulted with the Virginia Department of Emergency Management staff regarding the new FEMA BRIC program and possible Middle Peninsula resiliency projects.
- Consulted with Robert Crockett, President of Advantage Strategy regarding legal matters associated with VDOT owning a public access site with a wharf and not realizing the site has a wharf.
- Consulted with a Mathews County marine contractor regarding the placement of Flexmat for Stormwater management control.
- Consulted with a Gloucester County resident interested in elevating a 1920's waterfront farmhouse from flooding using FEMA programs.
- Consulted with Heather Lewis, Middlesex County Attorney regarding Scenic River designation for the Rappahannock River.
- Consult with Wayne Jessie, Chairman Middlesex County Board of Supervisors regarding establishing a scenic River designation for the Rappahannock River.
- Participated in a work group for HJ47 JCOTS. The resiliency work group was directed by the General Assembly.
- Attended the Virginia Coastal Policy Center webinar titled **The Challenge of Financing Resiliency** at the local level.
- Consulted with Karen Doran Clean Water Financing and Assistance Program Manager regarding the need to amend the enabling legislation to allow for a revolving loan program to be established for issuance of stormwater BMPs for shoreline erosion projects.
- Coordinated for a call to develop and submit a FEMA BRIC application focusing on nature-based flood mitigation solutions.
- Participated in a Middlesex County Board of Supervisors ZOOM meeting to discuss dredging needs of the county and potential funding questions.
- Participated in a call coordinated by Elizabeth Andrews, Director of the Virginia Coastal Policy Center related to elevated septic systems.

Appendix B: Accrued Benefits to the Virginia Middle Peninsula Community as a Result of Investment by the Virginia Coastal Zone Management Program

Middle Peninsula Planning District Commission
Accrued Benefits of the Virginia Coastal Zone Management Program
FY19 Narrative,
Prepared by Consociate Media

Accrued Benefits to the Virginia Middle Peninsula Community as a Result of Investment by the Virginia Coastal Zone Management Program – Annual Update

The challenges faced by residents and businesses on the Middle Peninsula, in the heart of rural coastal Virginia, are complex and diverse. These challenges also compounded over a long time period.

Years of regulatory overlap, combined with a strong need to maintain clean waters and a resilient shoreline, created an environment that made it difficult for businesses to grow, homeowners to protect their property and the economy to thrive. Reductions in federal spending in regional waterways further made maintaining some of them difficult and created a need to find unique solutions.

With the support of the Virginia Coastal Zone Management Program (CZM), the Middle Peninsula Planning District Commission (MPPDC) set out six years ago to help address the challenges the rural coastal Virginia region faces along its shorelines.

Like the challenges that built up over time – snowballing, if you will – the benefits of having an ongoing focused effort on finding solutions – smart solutions – in this complex environment have steadily accrued and been realized over time.

This narrative paints the picture of those accrued benefits, how and where the investment by the CZM showcases results today.

Of note, this narrative updates the accrued benefits report delivered for FY18. While some of the information listed in the report may seem similar to those who were familiar with the FY18 narrative, that is by design. The very nature of accrued benefits, and adding in those realized in FY19, requires describing how the work, focused efforts and benefits continue to stack on top of each other. To understand this year, readers must also understand previous years.

With continued investment by the CZM, the benefits of prior years will continue to grow stronger and future years will see even more forward movement for this rural coastal community of Virginia.

WHERE WE STARTED

To best understand how the Middle Peninsula in rural coastal Virginia got to the place it is today, one has to understand where it started, its journey, and the relationship to ongoing CZM investment to provide capacity at the local level.

In rural coastal Virginia, water drives life. It's woven into the very fabric of the region's identity. Water is apparent in all areas of its culture, from its food to its recreation, to its workforce, academic institutions, and even roads.

If one reads through any comprehensive plan of nearly any locality in this rural coastal Virginia region, you'll note within the opening lines that chief among the priorities for the future is to maintain the rural, water-loving character of its people and land.

In many ways, this is because this culture is all the Middle Peninsula residents in this rural coastal Virginia region have ever known.

However, years of regulations to help protect the Chesapeake Bay waters have stymied rural coastal Virginia localities' ability to cultivate job growth and manage coastal development proactively as opposed to reacting to complex regulatory overlap not understood at the local level. As a result, communities rely on CZM to fund technical guidance from MPPDC staff to help shape public policy and understand the unintended consequences of regulations.

While the state and Chesapeake Bay watershed region continue to do a great job protecting the blue-green infrastructure of the area, the strict environmental regulatory framework has forced rural coastal Virginia to grow into large pure-land, clean-water areas that are more reminiscent of a state park than a community because those very regulations disproportionately hand-cuff any type of active development, with the exception of residential.

Managing and positioning localities to understand choices as they relate to coastal management in this complex framework requires extremely long-term thinking and strategic positioning. That time generally exceeds any one 12-month grant cycle. Foundationally, that's why the benefits of the ongoing CZMA funding has accrued over time.

THE APPROACH

Through the funding of the CZM, the MPPDC has spent years working in a complicated public policy space to make substantive changes at a state legislative level to help address the challenges noted above.

Making these changes at a state level is critical to the solutions and the accrued benefit largely because Virginia is a Dillon rule state, where localities must get their direction and guidance from a higher level of government. To fix a problem, after identifying and understanding its nature, local and regional government staff have to either have conversations with agencies at a regulatory level or get the Virginia General Assembly to direct the change.

That is where a majority of the focused attention has gone to realize the benefits of the CZM funding – supporting the region, connecting the localities issues to statewide policy, and directing change.

The cumulative body of legislative work supported by CZM investment is reshaping how the citizens interface with coastal resources. One such example is that of stormwater management. Finding the correct regulatory pathway to manage stormwater serves as an illustrative model of a CZM accrued benefit given the sheer fact that it took more than five years to navigate and position, ultimately resulting in a new set of water quality regulations specifically designed to match the needs and desires of a rural coastal region. The stormwater challenge was created in 2016 when different statutes were consolidated resulting in unanticipated or unknown negative impacts to rural coastal Virginia.

The Acts of Assembly (Virginia House Bill 1250 and Senate Bill 673) combined the existing Virginia Stormwater Management Act (VSMA) and Virginia Erosion and Sediment Control Law (VESCL) to create the Virginia Erosion and Stormwater Management Act (VESMA) and directs the State Water Control Board (the Board) to permit, regulate, and control both erosion and stormwater runoff. In order for this legislation to become effective, the Board was required to initiate a regulatory action to consolidate and clarify program requirements, eliminate redundancies, and correct inconsistencies between the erosion and sediment control and stormwater management program regulations.

Recognizing the interconnectivity and complexity of merging numerous statutes and regulations was facilitated by a typical Regulatory Advisory Panel (RAP) which required a collaborative approach, and an approach that in the beginning did not have a local voice from rural coastal communities.

Working with the Department of Environmental Quality and with Virginia General Assembly involvement, the voice of rural coastal communities was added to and through the stakeholder process.

Between 2016 and 2018, because of the CZMA Technical Assistance investment, the MPPDC coastal technical expertise voice became the bridge between local land use control and state level regulatory development.

Specifically, the CZM investment provided the funding needed over a lengthy period of time to address an incredibly complex, extremely technical challenge faced by rural coastal Virginia. Without that voice, rural coastal Virginia development could have been stymied for decades to come and rural coastal local governments would have incurred uncalculatable costs to assume responsibility and oversight and thanks to the process a solution was reached on a public policy stormwater management policy problem that was said to be unsolvable and a waste of time and resources.

The solution recognized that rural coastal Virginia has so much blue-green infrastructure that they need a different regulatory framework.

Special stormwater regulatory relief (House Bill 1307 and House Bill 1308) can be found in regulations: §§ 62.1-44.15:24 and 62.1-44.15:27; and § 62.1-44.15:24. These regulations make the storm water law work for rural coastal Virginia.

Affected regulations included 9VAC25-830 – Chesapeake Bay Preservation Area Designation and Management Regulations, 9VAC25-840 – Erosion and Sediment Control Regulations, 9VAC25-850 – Erosion and Sediment Control and Stormwater Management Certification Regulations, 9VAC25-870 – Virginia Stormwater Management Program Regulation, 9VAV25-880 – General VPDES Permit for Discharges of Stormwater from Construction Activities, and 9VAC25-890 – General VPDES Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems. In FY19, multiple rural coastal localities have implemented and are using the benefits provided from the special enabled stormwater regulatory relief. Across the Middle Peninsula, Gloucester County and King and Queen County are leveraging this new relief.

Another example is the management of the siting of solar facilities in rural areas. The 2020 General Assembly session had major implications for Virginia localities permitting solar energy. As the Virginia Clean Economy Act set a target for over 16,000 megawatts of new solar generation in the Commonwealth, counties (many in rural coastal Virginia) sought assurance that a greater share of the financial benefits would accrue to the localities.

One key piece of legislation that helped provide that assurance was HB 1675, now found within the Code of Virginia under 15.2-2316.6 through 15.2-2316.9, which related to host siting agreements. 15.2-2316.6 through 15.2-2316.9, authorizes the development of ‘host siting agreements’ between localities and solar facilities. A host agreement is a negotiated agreement between the owner or developer and the locality where a project will be located that governs the operation, location, or development of the project in that county or locality. A locality has flexibility in the agreement and can request mitigation of solar facility impacts of such solar facility; financial compensation to address capital needs set out in the either its adopted capital improvement plan or the locality’s current fiscal budget; or the locality can ask for assistance in the deployment of broadband (Virginia Code § 15.2-2316.6). This legislation, with two other key pieces of legislation, represented a new set of tools in the hands of Virginia counties as they strive to maximize tax revenue from new solar projects.

Rural coastal Virginia, as noted above in this narrative, has suffered due to regulatory restrictions. Extraction of natural resources many times leave rural localities with limited or no financial advantages. Under NOAA Task 51 NA17NOS4190152, MPPDC staff developed a report titled “*Research on Economic Consequences of Natural Resource Extractive Industries within the Rural Coastal Virginia Community Enhancement Authority*” which focused on the singular and cumulative economic impact of extractive industries. Out of this report and with support from the CZM TA grant, HB 1675 was drafted and enacted.

With this legislation, since it went into law on July 1, 2020, has provided, among other benefits, direct financial benefit to any locality entering into a host agreement allowed under 15.2-2316.6 through 15.2-2316.9. \$3.475 million in voluntary payments over the life of projects to benefit citizens, \$4 million for extensive broadband infrastructure, funding for fire and emergency services, funding for comprehensive

plan consultants, and \$225,000 to develop pedestrian trails connecting public recreation sites in rural counties. The accrued benefit of CZM investment is real and impactful to these rural localities that previously received no appreciable financial benefit from solar.

With CZM funding, the MPPDC staff has also found ways to help property owners – residential and commercial – implement the Commonwealth’s stated goal of having living shorelines be the preferred shoreline treatment. Through legislative successes, the PDC has worked to help create revolving loan programs, eliminate unfair taxing of living shorelines, introduce new insurance options, all while protecting water quality and enhancing resiliency. The CZMA funding in that regard has supported the construction of shorelines that are more robust – bigger, wider, taller – and will protect rural coasts not only for today, but also for tomorrow.

This rural coastal management approach has also created ways – through the Virginia Waterway Maintenance Fund (also created through multi-rural coastal MPPDC’s partnering on legislations) – to give localities more access to state funding and options to use dredged materials for resiliency efforts.

Thanks to the Virginia Growth and Opportunity Fund, the MPPDC has also funded a project to study ways to harness and focus the most challenging coastal zone management issue facing the world: coastal flooding/Sea Level Rise. Perhaps most innovatively, the MPPDC is leveraging intellectual capital from the internationally recognized Virginia Institute of Marine Science/Virginia Sea Grant Program to commercialize resiliency research and partnerships with engineering firms to build a rural coastal water-based economy for the future.

In 2020, after many years of ongoing NOAA Coastal Technical Assistance investment in studying, planning and advocating for flooding solutions, MPPDC launched Fight the Flood (www.fightthefloodva.com), an online marketplace connecting property owners facing rising flood waters with tools and funding to contract with specialized businesses who can help evaluate, design, and build solutions to build more resilient shorelines and protect properties. The MPPDC Fight the Flood program is the only online Flood resilient marketplace in existence in the U.S.

During the height of the global pandemic in early to mid-2020, the MPPDC also worked alongside the Middle Peninsula Public Access Authority to apply for rapid funding from the Virginia Growth and Opportunity fund to build an online marketplace to connect watermen and aquaculture farmers directly to consumers. Called Bay Direct, the mobile application and web portal was needed because COVID-19 and government ordered closures forced many restaurants that watermen and aquaculture farmers sell **or** to shut down. For example, a reduction in need resulted in a reduction of oysters harvested. By creating a portal for watermen and aquaculture farmers to sustainably sell direct to consumers, this project aims to help diversify this industry’s ability to survive other downturns, a critical component to Chesapeake Bay water quality.

COMMUNICATING THE IMPACT

With the successes and accrued benefits stacking up, and a firm grasp on how to communicate with the community, the MPPDC continues to build out its communications and public relations campaign to educate local elected officials, residents, business owners, and legislators about the challenges facing rural coastal Virginia. It is only following the understanding and dissecting of these complex challenges that the MPPDC has been able to articulate the challenges to the community in a way that they can understand.

Examples of these communications include the following:

- media coverage of the stormwater solution highlighted above during the 2019 Rural Coastal Virginia Summit (funded through a multi coastal MPPDC CZM grant). At that Summit, presentations of the work being done utilizing CZM funding was recorded for future use.
- press outreach and op-ed crafting of Fight the Flood content.
- media coverage of the award of the Bay Direct application noted above.
- media coverage of septic related grant programs.
- media coverage of legislation passed during the 2020 General Assembly session.

Communications tools are being utilized to promote the living shorelines programming and the Fight the Flood campaign noted above.

THE LEGISLATIVE RESULTS, AN OVERVIEW

The Middle Peninsula region has entered year six of a strategic plan to promote and use rural coastal Virginia's blue/green infrastructure to reframe the social economics of the region. Implementing this initiative would not happen without the ongoing and focused CZM investment.

The following outlines some of the state-level work completed as part of these efforts. Detailed descriptions of legislation listed in **bold** below are those included since the last accrued benefits report was filed.

Each of the below bills have become law, with the exception of two that have been used to drive policy conversations forward to address coastal issues, such as mitigating tidal flooding within the Resource Protection Area of the Chesapeake Bay Preservation Act.

Because of HB 1094 Chesapeake Bay Preservation Areas; regulations; local permit to raise land and HB 2506 Chesapeake Bay Preservation Areas; filling low-lying areas substantive policy discussion with state agencies staff is finally happening related to tools needed to help manage recurrent flooding in rural coastal areas that will protect land and water quality.

HB 2055

Establishes the Rural Coastal Virginia Community Enhancement Authority, consisting of the 12 counties within the Northern Neck, Middle Peninsula, and Accomack, Northampton planning districts, if approved by the respective governing bodies.

HB 1734

Loans for creation of living shorelines.

HB 526

Living shorelines; tax exemption.

HB 1774

Stormwater and erosion control; work group; stormwater laws.

HB 2009

Stormwater and erosion management; administration of program by certified third party.

HB 2454

Onsite treatment works; effluent quality standards and maintenance requirements.

HB 2463

Commissioner of Highways; commercial establishment entrances.

HB 508

Local regulation of solar facilities.

HB 509

Comprehensive plan; solar facilities.

HB 1036

Eastern Virginia groundwater management; trading work group.

HB 1035

Virginia Water Supply Revolving Fund; preference in Eastern Virginia for projects not involving withdrawal of groundwater from certain aquifers.

HB 1091

Virginia Resources Authority; dredging projects.

HB 1092

Tax increment financing; dredging projects.

HB 1093

Middle Peninsula Chesapeake Bay Public Access Authority; purpose.

HB 1094

Chesapeake Bay Preservation Areas; regulations; local permit to raise land.

HB 1095

Chesapeake Bay public water access authorities; regional dredging.

HB 1096

Dredged material siting; fast-track permitting program.

HB 1307

Stormwater management; rural Tidewater; tiered approach to water quantity technical criteria; impervious cover percentage.

HB 1308

Stormwater; local plan review; acceptance of signed plan in lieu of review.

SB 693

Virginia Waterway Maintenance Fund; Grant Program.

HB 2313

Comprehensive highway access management standards.

HB 2315

Department of Transportation; at-risk infrastructure; report.

HB 2322

Department of Health; plan for oversight and enforcement; requirements governing onsite sewage treatment systems.

HB 2482

Land preservation tax credits; operation of facility on donated land; agreements between the Commonwealth and a third party related to donated land.

HB 2506

Chesapeake Bay Preservation Areas; filling low-lying areas.

HB 2783

Living shorelines; loans to businesses.

HB 1675

Passed during the 2020 General Assembly session, it authorizes the development of ‘host siting agreements’ between localities and solar facilities. A host agreement is a negotiated agreement between the owner or developer and the locality where project will be located that governs the operation, location, or development of the project in that county or locality. A locality has flexibility in the agreement and can request mitigation of solar facility impacts of such solar facility; financial compensation to address capital needs set out in the either its adopted capital improvement plan or the locality’s current fiscal budget; or the locality can ask for assistance in the deployment of broadband. It can be found in the Virginia Code § 15.2-2316.6.

HB 1375

Living shorelines; resiliency. Includes a shoreline practice that may enhance coastal resilience and attenuation of wave energy and storm surge in the definition of "living shoreline" for purposes of establishing and implementing a general permit regulation that authorizes and encourages the use of living shorelines as the preferred alternative for stabilizing tidal shorelines.

HB 1266

Septic system inspectors; requirements to perform a septic system inspection. Authorizes any individual who holds a valid onsite sewage system operator, onsite sewage system installer, or onsite soil evaluator license pursuant to Chapter 23 (Waterworks and Wastewater Works Operators) of Title 54.1 to perform a septic system inspection in connection with any real estate transaction, including refinancings.

HB 1313

Chief Resilience Officer. Directs the Governor to designate a Chief Resilience Officer to serve as the primary coordinator of resilience and adaptation initiatives in Virginia and as the primary point of contact regarding issues related to resilience and recurrent flooding. The bill directs the Chief Resilience Officer, in consultation with the Special Assistant to the Governor for Coastal Adaptation

and Protection, to identify and monitor areas at the greatest risk from recurrent flooding; review and comment on plans for the construction or substantial reinforcement of a substantial flood defense or catchment area, at the request of the locality containing such defense or area; and initiate and assist with the pursuit of funding for resilience initiatives. The bill also expands the list of programs with which localities and the Commonwealth are required to coordinate as part of their flood control efforts.

HB 1267

Land bank entities; planning district commissions. Permits localities to designate a planning district commission to carry out the functions of a land bank entity. Currently, localities may create an authority or designate certain existing nonprofit organizations to carry out the functions of a land bank entity.

HJ 102

Study; continuing the Joint Subcommittee on Coastal Flooding; report. Continues the Joint Subcommittee on Coastal Flooding for two additional years, through the 2021 interim.